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CERTIFICATE OF MAILING

I hereby certify that this document is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231, on this 8 day of FEB, 2002.

Pat Simpson

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of  
Blair, et al.

Serial No.: 09/992,666

Filed: November 19, 2001

For: METHOD AND SYSTEM FOR  
GATHERING DATA USING  
AUTOMATIC APPLIANCE  
FAILOVER

Attorney Docket No.:  
10013014-1

Examiner: Not yet assigned

Group: 2661

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**TRANSMITTAL OF CORRECTED DECLARATION  
AND POWER OF ATTORNEY**

Assistant Commissioner of Patents  
Washington, D.C. 20231

Dear Sir:

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Applicants respectfully submit a new, freshly executed Declaration and Power of Attorney. The signed Declaration and Power of Attorney submitted with the filing of the patent application contained an error in the title. This Declaration and Power of Attorney which has been signed by the inventors now has the correct title.

If there are any fees due, please charge our deposit account 03-0172.

Respectfully submitted,

Date: February 8, 2002

Brian E. Kondas  
Brian E. Kondas, Reg. No. 40,685  
CALFEE, HALTER & GRISWOLD LLP  
800 Superior Avenue  
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**DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

FEB 26 2002

PATENT APPLICATION

ATTORNEY DOCKET NO. 10013014 -1

As a below named inventor, I hereby declare that:

My residence/post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**Method And System For Gathering Data Using Automatic Appliance Failover**

the specification of which is attached hereto unless the following box is checked:

( ) was filed on Nov 19, 2001 as US Application No. or PCT International Application Number 09/992666 and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose all information which is material to patentability as defined in 37 CFR 1.56.

**Foreign Application(s) and/or Claim of Foreign Priority**

I hereby claim foreign priority benefits under Title 35, United States Code Section 119 of any foreign application(s) for patent or inventor(s) certificate listed below and have also identified below any foreign application for patent or inventor(s) certificate having a filing date before that of the application on which priority is claimed:

COUNTRY	APPLICATION NUMBER	DATE FILED	PRIORITY CLAIMED UNDER 35 U.S.C. 119
			YES: _____ NO: _____
			YES: _____ NO: _____

**Provisional Application**

I hereby claim the benefit under Title 35, United States Code Section 119(e) of any United States provisional application(s) listed below:

APPLICATION NUMBER	FILING DATE

**U. S. Priority Claim**

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION NUMBER	FILING DATE	STATUS (patented/pending/abandoned)

**POWER OF ATTORNEY:**

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Customer Number 022879

Place Customer  
Number Bar Code  
Label here

Send Correspondence to:  
HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, Colorado 80527-2400

Direct Telephone Calls To:

Lane R Simmons  
(208) 396-3633

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Inventor: Timothy P. Blair

Citizenship: US

Residence: 6311 Rivertree PI Boise, ID 83714

Post Office Address: Same as residence

Inventor's Signature

Date

1/25/02

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DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION (continued)

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Full Name of # 2 joint inventor: James S Boyce

Citizenship: US

Residence:

1386 Nova Lane Meridian ID 83642

Post Office Address:

Same as residence

Inventor's Signature

*James S. Boyce*

Date

2-5-02

Full Name of # 3 joint inventor:

Citizenship:

Residence:

Post Office Address:

Inventor's Signature

Date

Full Name of # 4 joint inventor:

Citizenship:

Residence:

Post Office Address:

Inventor's Signature

Date

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Full Name of # 5 joint inventor:

Citizenship:

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Residence:

Post Office Address:

Inventor's Signature

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Full Name of # 6 joint inventor:

Citizenship:

Residence:

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Full Name of # 7 joint inventor:

Citizenship:

Residence:

Post Office Address:

Inventor's Signature

Date

Full Name of # 8 joint inventor:

Citizenship:

Residence:

Post Office Address:

Inventor's Signature

Date